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IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3194 of 1991

For Approval and Signature:

Hon'ble MR.JUSTICE RAVI R. TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

LAVJIBHAI S SOLANKI

Versus

R K KAPDIA

Appearance:

MR HAROOBHAI MEHTA for Petitioners

RULE SERVED for Respondent No. 1

MR SN SHELAT for Respondent No. 3

CORAM : MR.JUSTICE RAVI R. TRIPATHI

Date of decision: 02/03/2001

ORAL JUDGEMENT

The present petition is filed with a prayer to set aside that part of the judgement and order of the

Tribunal which restricts the award and relief to the period commencing on 27.5.1986 and disallows the claim in respect of the arrears prior to that.

2. Mr.Ketan Dave, learned advocate for the petitioners submits that in Special Civil Application No.2294 of 1992 precisely the same issue was raised before this Court and the said petition is allowed by this Court (Coram : R.K. Abichandani, J.) by decision dated 1.12.2000. For the reasons recorded in the said judgement this petition is allowed. Rule is made absolute with no order as to costs.

(Ravi R. Tripathi, J.)

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